

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 PHILLIP ALEXANDER, et al.,

5 Plaintiff,

6 v.

7 PAUL BROWN FARMERS INSURANCE
8 AGENCY LLC, et al.,

9 Defendants.

Case No. 2:17-cv-01623-APG-PAL

ORDER DISMISSING CASE

(ECF No. 7)

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11 Plaintiff Phillip Alexander is a Canadian citizen residing in Nevada under a valid green
12 card. ECF No. 1 at 3; ECF No. 9 at 1. Defendant Paul Brown Farmers Insurance Agency LLC is a
13 Nevada entity. ECF No. 1 at 3; ECF No. 7 at 5, 9-10. Alexander alleges he was injured in a car
14 accident caused by Farmers' insured, and that Farmers has not properly resolved Alexander's
15 demand for compensation. Regardless of the merits of Alexander's claims, this court cannot
16 exercise jurisdiction over this matter.

17 Alexander asserts no federal question in his complaint. Therefore, this court can exercise
18 jurisdiction over this case only if complete diversity of citizenship exists. 28 U.S.C. § 1332.
19 However, "the district courts shall not have original jurisdiction . . . of an action between citizens
20 of a State and citizens or subjects of a foreign state who are lawfully admitted for permanent
21 residence in the United States and are domiciled in the same State." 28 U.S.C. § 1332(a)(2).
22 "Because of this provision, it is possible that an individual might be a citizen or subject of a foreign
23 state but nevertheless be someone deemed a citizen-for-jurisdiction of one of the United States, if
24 that individual is a permanent resident alien domiciled in a particular state." *Karazanos v. Madison*
25 *Two Assocs.*, 147 F.3d 624, 627 (7th Cir. 1998). That is the case here: Alexander is a Canadian
26 citizen lawfully admitted for permanent residence in the United States and domiciled in Nevada.
27 Because he and Farmers are both citizens of Nevada, complete diversity is absent and this court
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1 cannot exercise diversity jurisdiction over this case. Therefore, I must dismiss the case, without
2 prejudice.

3 IT IS THEREFORE ORDERED that the defendant's motion to dismiss (ECF No. 7) is
4 **GRANTED**. The plaintiff's motion for entry of default judgment (ECF No. 11) is **DENIED AS**
5 **MOOT**. The case is dismissed without prejudice. The Clerk of the Court is instructed to close this
6 file.

7 Dated: August 8, 2017.



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9 ANDREW P. GORDON
10 UNITED STATES DISTRICT JUDGE
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